

THE HONORABLE JAMES L. ROBART

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA

Plaintiff,

vs.

CITY OF SEATTLE

Defendant.

CASE No. C12-1282JLR

**STIPULATED MOTION AND
~~PROPOSED~~ ORDER TO
EXTEND THE DEADLINES AND
FOR A BRIEFING SCHEDULE ON
THE MONITOR'S COMPLIANCE
STATUS REPORT**

**(Please Note on Calendar for:
September 8, 2017)**

Plaintiff, the United States of America, and Defendant, the City of Seattle (together, the "Parties"), respectfully move this Court to extend the deadline for the Parties to file their comments to the Monitor's Compliance Status Report ("Report") and to establish a briefing schedule, for the following reasons:

STIPULATION

Per the Court-approved Fourth Year Monitoring Plan, the Monitor and the Parties have been diligently and collaboratively discussing questions related to the significance of the Monitor's findings of "initial compliance" and how to measure sustained compliance, among other related questions. *See* Dkt. No. 294-1 at 22. These are complex and important questions.

The Monitor has indicated that he will file his Report on the same, on or before September

1 9, 2017. Dkt. No. 409. Today, the Court notified “all interested parties to file any comments
2 concerning the Report no later than September 18, 2017.” Dkt. No. 414.

3 As this Court is aware, the City is a multi-faceted entity. The City Attorney must obtain
4 input from many stakeholders in the City family: the Mayor’s Office, the Seattle Police
5 Department, among others. Likewise, the United Department of Justice is a large, complex
6 organization, with decision-makers on both coasts. Finally, the Community Police Commission
7 (“CPC”), while not a party, is an important stakeholder granted amicus status in this matter, and is
8 an entity that requires some time in developing its substantive policy or other substantive positions,
9 in part because of its bi-monthly meeting schedule.¹ Each of these entities requires more than ten
10 days to respond to important deadlines in this matter.

11 Additionally, the Parties and CPC may benefit from additional time to discuss, amongst
12 themselves and with the Monitor, the content of the Monitor’s Report, whether to seek further
13 clarification or to seek consensus on certain issues, so as to narrow any issues for the Court.

14 Finally, since the Defendant maintains the burden of showing compliance with the Decree
15 (*see* Dkt. 3-1 ¶ 223), the Parties believe that a staggered briefing schedule would provide a more
16 orderly and efficient presentation to the Court. *See* Dkt. 3-1 ¶ 223 (“At all times, the City and SPD
17 will bear the burden of demonstrating substantial compliance with the Settlement Agreement.”).

18 For these reasons, the Parties request additional time to complete those discussions and to
19 prepare their respective responses to the Monitor’s Report, and therefore respectfully and jointly
20 move for the following briefing schedule:

- 21 • The comments of the City of Seattle are due on September 29, 2017;
- 22 • The comments of the United States and the CPC are due on October 13, 2017;
- 23

24
25 ¹ This Motion is not brought on behalf of the CPC and should not be viewed to prejudice its desire to contract or to
seek additional time if needed.

- Any comments in reply by the Monitor are due on October 20.

The Monitor does not oppose on this request.

DATED this 8th day of September, 2017.

For the UNITED STATES OF AMERICA:

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s/J. Michael Diaz

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For the CITY OF SEATTLE:

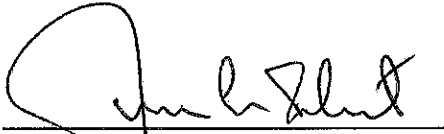
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~~PROPOSED~~ ORDER

The Parties having so stipulated, it is SO ORDERED.

DONE IN OPEN COURT this th 11 day of September, 2017,



THE HON. JAMES L. ROBERT
UNITED STATES DISTRICT COURT JUDGE

CERTIFICATE OF SERVICE

I certify that on the 8th day of September, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following attorneys of record:

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4 DATED this 8th day of September, 2017.

6 /s/ J. Michael Diaz

7 J. Michael Diaz

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